

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

TRISTAN ROBINSON,

Plaintiff,

V.

SERGEANT HURT, ET AL.,

Defendants.

No. 2:20-cv-01120-JTF-atc

**ORDER DISMISSING CASE,
CERTIFYING AN APPEAL WOULD NOT BE TAKEN IN GOOD FAITH,
AND NOTIFYING PLAINTIFF OF APPELLATE FILING FEE**

On June 3, 2020, Plaintiff Tristan Robinson, who is presently incarcerated under booking number 497796 at Northeast Correctional Complex in Mountain City, Tennessee, filed a *pro se* complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1.) On June 5, 2020, the Court granted him leave to proceed *in forma pauperis*. (ECF No. 6.) On January 14, 2021, the Court dismissed Plaintiff's complaint without prejudice for failure to state a claim to relief, granted him leave to amend within twenty-one days of the date of the order, and denied his motion for appointment of counsel. (ECF No. 10.) The Court warned Plaintiff that if he failed to timely comply, the Court would summarily dismiss this case with prejudice in its entirety, assess a strike pursuant to 28 U.S.C. § 1915(g), and enter judgment. (*Id.* at PageID 31.)

Plaintiff's deadline to amend expired on February 4, 2021. As of the date of this order, he has not submitted an amended complaint.

For this reason, the Court **DISMISSES** this case with prejudice in its entirety for the reasons discussed in the January 14, 2021 order. (*See* ECF No. 10.) Judgment will be entered in accordance with that prior order.

Pursuant to Federal Rule of Appellate Procedure 24(a) and 28 U.S.C. § 1915(a)(3), it is **CERTIFIED** that any appeal in this matter by Plaintiff would not be taken in good faith. If Plaintiff nevertheless chooses to file a notice of appeal, he must either pay the entire \$505 appellate filing fee or submit a new *in forma pauperis* affidavit and a current, certified copy of his inmate trust account statements for the last six months, in compliance with 28 U.S.C. §§ 1915(a)-(b).

IT IS SO ORDERED, this 8th day of February 2021.

s/John T. Fowlkes, Jr.

JOHN T. FOWLKES, JR.

UNITED STATES DISTRICT JUDGE